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09/672,029	09/29/2000	Jon Ramer	5371	2580

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DORSEY & WHITNEY, LLP  
INTELLECTUAL PROPERTY DEPARTMENT  
370 SEVENTEENTH STREET  
SUITE 4700  
DENVER, CO 80202-5647

EXAMINER

PHAN, TAM T

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 06/01/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/672,029

Applicant(s)

RAMER ET AL.

Examiner

Tam (Jenny) Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 35-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 35-38 is/are rejected.
- 7) ☒ Claim(s) 37 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This application has been examined. Claims 35-38 are presented for examination.

### ***Election/Restrictions***

2. Applicant's election of Group II, claims 35-38 in Paper No. 6 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election **without** traverse (MPEP § 818.03(a)).
3. Claims 1-34 and 39-41 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention. Election was made **without** traverse as necessitated by MPEP § 818.03(a) (See paragraph 2 above for details).
4. Examiner is appreciative of the courtesy shown by Applicant in discussions of this restriction requirement.

### ***Priority***

5. This application claims benefit of the provisional application 60/156,956 (09/30/1999).
6. The effective filing date for the subject matter defined in the pending claims, which has support in provisional application 60/156,956 in this application, is 09/30/1999. Any new subject matter defined in the claims not previously disclosed in provisional application 60/156,956, is entitled to the effective filing date of 09/29/2000.

***Information Disclosure Statement***

7. An initialed and dated copy of Applicant's IDS form 1449, Paper No. 4, is attached to the instant Office action.

***Claim Objections***

8. Claim 37 objected to because of the following informalities: "adoptive" should read "adaptive". Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

10. Claims 35-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Chakrabarti et al. (U.S. Patent Number 6,356,899), hereinafter referred to as Chakrabarti.
11. Regarding claim 35, Chakrabarti disclosed a system for providing enhanced web-browsing comprising: a data double, comprising data that identifies a member; service providers that provide service provider content including services and information; a personal site that the member uses to access the service provider content; and an engine that processes the data double and the service provider content to provide relevant and meaningful content to the member through the personal site (Abstract,

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Figures 1, 5-7, column 5 lines 53-67, column 10 lines 1-8, column 13 lines 23-33, column 32 lines 33-65).

12. Regarding claim 36, Chakrabarti disclosed a system wherein the engine comprises identify management that manages the data double to establish a personal profile, member preferences, member permissions, and activity data for the member; and context management that organizes service provider content, coordinates browsing processes, and provides an adaptive framework (column 5 lines 53-67, column 11 lines 53-65, column 13 lines 23-33, column 25 lines 35-50, column 32 lines 33-65).

13. Regarding claim 37, Chakrabarti disclosed a system wherein the personal site comprises: smart pages, comprising: a log in page; a home page; and inside pages; and an adoptive framework, comprising: selection navigators; and a toolbar (Abstract, Figures 6-8 and 10, column 5 lines 57-67, column 15 lines 59-67, column 16 lines 1-18, column 32 lines 32-36).

14. Regarding claim 38, Chakrabarti disclosed a system wherein the selection navigators provide direct page searching comprising: a fixed hierarchal structure listing a web site's areas with sections and pages; an explicit SQL criteria search [query], whereby by the selection navigators gather and dynamically assemble web sites meeting the criteria; and a group SQL [query] criteria, wherein the selection navigators store the criteria, gather and dynamically assemble web sites meeting the criteria and update the web sites when new content in found meeting the criteria (Figure 13, column 7 lines 14-32, column 25 lines 35-51).

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15. Since all the limitations of the claimed invention were disclosed by Chakrabarti, claims 35-38 are rejected.

***Claim Rejections - 35 USC § 103***

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 35-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacNaughton. (U.S. Patent Number 5,796,393), hereinafter referred to as MacNaughton, in view of Li et al. (U.S. Patent Number 6,631,496), hereinafter referred to as Li.

18. Regarding claim 35, MacNaughton disclosed a system for providing enhanced web-browsing comprising: a data double, comprising data that identifies a member; service providers that provide service provider content including services and information; a personal site that the member uses to access the service provider content; an engine that processes the data double and the service provider content to provide content to the member through the personal site (Abstract, Figures 1-1B, 6, column 1 lines 19-34, column 6 lines 25-37, column 8 lines 24-42).

19. MacNaughton taught the invention substantially as claimed. However, MacNaughton did not expressly teach an engine that processes the service provider content to provide *relevant and meaningful* content to the member through the personal site.

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20. MacNaughton suggested exploration of art and/or provided a reason to modify the system with the personalized feature (column 4 lines 24-32, column 7 lines 15-33, column 8 lines 9-23).

21. In an analogous art, Li disclosed an engine that processes the service provider content to provide *relevant and meaningful* content to the member through the personal site (Title, Abstract, Figures 1, 11, column 5 lines 19-33, column 6 lines 22-31).

22. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of MacNaughton with the teachings of Li to include the personalized feature in order to effectively retrieve content (Li, column 1 lines 32-41) since users would often encountered problems in finding information (Li, column 1 lines 32-41). In addition, personalized content could also provide subscription service, which retrieves user-specified interests (Li, Abstract) since this feature could be used to display specific on-line content that the user has requested to receive (MacNaughton, column 7 lines 31-33).

23. Regarding claim 36, MacNaughton disclosed a system wherein the engine comprises identify management that manages the data double to establish a personal profile, member preferences, member permissions, and activity data for the member; and context management that organizes service provider content, coordinates browsing processes, and provides an adaptive framework (Figures 1B, 3, 5, column 4 lines 24-32, column 6 lines 25-37, column 7 lines 14-33, column 8 lines 9-23).

24. Regarding claim 37, MacNaughton disclosed a system wherein the personal site comprises: smart pages, comprising: a log in page; a home page; and inside pages;

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and an adaptive framework, comprising: selection navigators; and a toolbar (Figure 6, column 3 lines 24-34, lines 51-61, column 9 line 54-column 10 lines 11, column 12 lines 41-49).

25. Regarding claim 38, Li disclosed a system wherein the selection navigators provide direct page searching comprising: a fixed hierarchal structure listing a web site's areas with sections and pages; an explicit SQL criteria search, whereby by the selection navigators gather and dynamically assemble web sites meeting the criteria; and a group SQL criteria, wherein the selection navigators store the criteria, gather and dynamically assemble web sites meeting the criteria and update the web sites when new content in found meeting the criteria (Figures 1-2, 5, 10-12A, 19, column 5 lines 19-33, column 7 lines 54-67, column 13 lines 35-56).

26. Since all the limitations of the claimed invention were disclosed by the combination of MacNaughton and Li, claims 35-38 are rejected.

### ***Conclusion***

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to the enclosed PTO-892 for details.

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam (Jenny) Phan whose telephone number is (703) 305-4665. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on 703-308-3873. The fax phone



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number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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May 22, 2004